THE HON'BLE SRI JUSTICE C.V.RAMULU

W.P.No.1151 of 2006

Dated:21.09.2006

Between
D.Narayana

…..Petitioner

and

1.The District Collector (CS)
Nizamabad, Nizamabad District and others.

…Respondents

THE HON'BLE SRI JUSTICE C.V.RAMULU

W.P.No.1151 of 2006

ORDER:

This writ petiton is filed being aggrieved by the impugned proceedings No.B1/1794/05, dated 26.12.2005 passed by the 2nd respondent-Revenue Divisional Officer, Kamareddy, Nizamabad District, canceling the authorization of the petitioner for the fair price shop No.II of Pedda Mallareddy village, Bikhnoor Mandal, Nizamabad District.

There is no necessity to go into all the details. A plain reading of the impugned order does not indicate as to whether any enquiry has been conducted or any show cause notice has been issued to the petitioner before passing the same. Even, the learned Government Pleader is unable to demonstrate that any notice has been issued to the petitioner before passing the impugned order.

It seems that after passing of the impugned order dated 26.12.2005, the show cause notice dated 11.12.2005 was served on him on 2.1.2006. This itself shows the way in which the enquiry was conducted without following the principles of natural justice. Therefore, the impugned order suffers from gross violation of principles of natural justice and is liable to be set aside.

Accordingly, the writ petition is allowed and the order impugned is set aside. However, this will not preclude the authorities from conducting any enquiry as per law. No costs.

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21-09-2006

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